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February 22, 2005

VIA FACSIMILE

Lesley Wolf
Ropes & Gray LLP
One International Place
Boston, MA 02110-2624

Re: Braun v. Rayovac

Dear Lesley:

Thank you for speaking with us today.

First, as I understood you, the depositions in Germany likely will occur in late March or early April. While we are generally available, please provide us concrete dates as soon as possible so we can coordinate.

Second, we appreciate your offer to look further into Braun technical documents and the like listed in my prior letter. Given the number of individuals we have identified as having worked on Braun's cleaning system (and alternative cleaning systems in the past), we had thought there would be more technical documents remaining at Braun. If our assumption was incorrect, Braun obviously cannot produce what it does not have. We simply do not want to learn at depositions, for example, that Braun had, but did not produce responsive documents.

Relatedly, many of the documents we specified were derived from a presentation apparently authored by Jurgen Hoser in December 2003, near the time Braun sued Rayovac. While we hope this is not the case, to the extent that Braun subsequently destroyed any documents used by Mr. Hoser (or others) to generate the presentation, we will be forced to seek relief from the Court.

Third, as discussed, we'd like to know Braun's position as to whether B 861 and B 1069 - 1074 are privileged. To the extent that Braun believes either is privileged, we need to discuss whether we can agree upon the scope of Braun's voluntary waiver. To the extent that Braun believes the documents are not privileged, please produce to us all Invention Disclosure records corresponding with the subject matter of U.S. Patent Nos. 6,263,890, 6,305,391, 6,371,136, 6,640,819, 6,698,437, and D449,708. Please advise as to Braun's position.

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Lesley Wolf
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Please call or write if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Shimota".

James A. Shimota

JAS/ck